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SUBJECT: PRESIDENT SOLYOM'S INJUDICIOUS ACTIVISM

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Classified By: P/E COUNSELOR ERIC V. GAUDIOSI; REASONS 1.4 (B) AND (D)

11. (C) Summary: The chorus of complaints regarding Prime Minister Gyurcsany has largely but not completely obscured the mixed reviews received by President Laszlo Solyom. Seen as principled by his supporters and pedantic by his critics, Solyom has tested the boundaries of his largely ceremonial position. His minimal experience in economics and international affairs, combined with his personal animus toward the Prime Minister, has limited his ability to promote political compromises. Moreover, his legalistic approach and seeming ambivalence toward the U.S. will likely remain complicating factors in our efforts to work with Hungary on key initiatives. End Summary.

SOLYOM'S APPEAL ...

12. (C) A former President of the Constitutional Court, Solyom emerged as a dark horse for the Presidency in 2005. Originally proposed to Parliament by an NGO and no longer a member of any political party (though formerly in the center-right Hungarian Democratic Forum), he has been an often divisive force in a position envisioned as a ceremonial figure and a unifying force in national politics. Former SzDSz Faction Leader Gabor Kuncze, who regards his party's support of Solyom as "among our worst mistakes," notes sardonically that "Solyom helped define the Presidency when he was a judge ... and now he's trying to break out of the box he built." Hailed by supporters as an apolitical figure who is "not like all the others," Solyom often leads Hungary's popularity polls ) albeit with approval ratings of only 50 percent. His critics, by contrast, regard him as "just another politician ) only a very inept one." (Note: These deep differences of opinion regarding Solyom extend to our local staff, as our informal survey revealed. End Note.)

AND CRITICS' OBJECTIONS

13. (C) Variouslly described as a liberal and a conservative, Solyom is first and foremost a legalist, often both myopic and politically tone-deaf. He has argued, for example, for an expansive definition of the social "guarantees" extended by Communist-era provisions of Hungary's Constitution without regard to current economic realities. He's also drawn fire for his objections to proposed legislation on hate speech, and for his decision not to attend the National Summit designed to build a national consensus in response to economic crisis.

14. (C) Although we sense no particular anti-Americanism on his part, he could not be described as particularly pro-American. Early in his term, Solyom infamously remarked that he would not visit the United States due to fingerprinting requirements, and his pet issues of privacy

and environmental protection have put him publicly at odds with us on high-profile issues including the sharing of personal data to the construction of the NATO radar facility at Tubes. The former issue, for example, led him to refer the enabling legislation behind the Visa Waiver agreement back to Parliament, forcing the government ) and the embassy ) to scramble to contain the fall-out with Secretary Chertoff en route to Budapest.

#### HOLDING THE GOVERNMENT IN CONTEMPT

15. (C) He is far more often a thorn in the side of the Gyurcsany government, however. Though steadfast in his support for the rule of law - and indeed privately shaken by the extent of the violence during the demonstrations of 2006 and 2007, he has remained an outspoken critic of the police and of the Prime Minister. Solyom has had pointedly little personal contact with the PM in the past year. His trips overseas, for example, are often timed to avoid ceremonial events where he and Gyurcsany would otherwise be together, and he makes no (secret) of his low personal regard for the PM. "He's certainly not alone in his feelings about Gyurcsany," observed one contact, "but the President is supposed to be above the partisan fray."

16. (C) This friction often extends to the distant relationship between the President's Office and the bureaucracy. Sources throughout the Ministries note that their efforts to brief the President and his staff are often rebuffed, even on economic and foreign policy issues where Solyom lacks deep experience ... if not strong opinions. As one MFA official jokingly observed after Solyom's staff declined our offer of a briefing on Kosovo before his 2006 trip to Serbia, "don't feel bad - they're not interested in hearing about Hungarian policy either." This makes Solyom's

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frequent travel to ethnic Hungarian communities abroad - complete with references to "autonomy" - a particular source of tension for the Gyurcsany government.

17. (C) GoH officials also complain bitterly that Solyom needlessly uses his prerogative to return legislation to Parliament or to refer it to the Constitutional Court. One irate MP fumed that "as a President he's a hell of a judge." Although government contacts believe they can work around Solyom, who they sometimes point out is "only the President," MSzP contacts fear that he will use what powers he does have - such as scheduling elections - to their detriment. "Solyom's criticism is always principled," concludes one Socialist MP archly, "but I notice that his principles seem to tilt to the right."

#### RESPECT AND RESERVATIONS FROM THE RIGHT

18. (C) But frustration with Solyom is not limited to the left. While generally careful to refer to Solyom as "our President" (rather than the Socialists' preferred epithet "that man"), some opposition figures are disappointed that Solyom has not used his moral authority to call more explicitly for Gyurcsany's resignation. Though they generally feel that he is philosophically sympathetic, many FIDESZ officials regard him as politically unpredictable.

19. (C) Indeed, Solyom has been sharp in his comments regarding the opposition following their votes against his nominations to serve as Hungary's various ombudsmen. This has been a particular point of contention during Solyom's tenure, and he has resolutely refused to consult with Parliament regarding his personnel selections. Following the Parliament's recent rejection of his nominee to head the Constitutional Court, Solyom let fly with a bitter televised diatribe in which he denounced MPs' votes as "shameful and unconstitutional." The result of this war of wills has been a government that has gone for protracted periods without key officials, reinforcing the perception of many that "Hungary

is not being governed."

I, THE JURY

¶10. (C) Comment: In a country that respects expertise, Solyom is universally recognized as the preeminent expert on the Hungarian Constitution. As one former Justice Minister observes, "Solyom wrote so much of the Constitution he feels that he's the only one who can interpret it." But most Hungarians agree that the Constitution is broken, and Solyom has been no repairman. Indeed, his expertise seemingly leads him to ordain but not to accept alternate views. Even his supporters find him to be an aloof activist, and he has been reluctant to move beyond the minutiae of the law to use the bully pulpit of the Presidency to speak out on broader social problems such as intolerance. Though seemingly frustrated by the strictures of his role as Head of State, Solyom often appears uninterested in using his office to broker the political compromises Hungary so desperately needs. Moreover, Solyom's animosity toward the Prime Minister and impermeability to outside engagement may leave our initiatives at odds with his opinions. Even if he does not consciously obstruct decisions merely because they involve us, to date he has been unhelpful in practice if not in intent. He will remain a wild card in the deck as we continue our efforts to work with a distracted government and a divided Parliament. End Comment.

Foley